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REMARKS

Claims 1-30 are pending in the present application, of which claims 1, 2, 7, 8, 10, 12-14, 16, 18-20, 22, 24-26 and 30 have been amended hereby.

The Office Action rejects claims 1-3, 5-9, 11-15, 17-21, 23-27, 29 and 30 under 35 U.S.C. § 102(e) as being anticipated by USPN 6,366,776 (Wright et al.); and rejects claims 4, 10, 16, 22 and 28 under 35 U.S.C. § 103(a) as being unpatentable over Wright in view of USPN 6,330,431 (Rostamy et al.).

Applicants appreciated the opportunity to discuss these rejections with the Examiner by telephonic interview on 3/31/2005, and have hereby amended the claims as discussed. Each of the independent claims (claims 1, 7, 13, 19 and 25) now recites the determining of a power level measurement, and the transmission of that measurement to the terminal. As discussed with the Examiner, the cited portions of the Wright patent (col. 2:30-37, col. 26:43-50 and col. 26:46-47) do not disclose the claimed invention of determining a power level measurement of the transmission burst received from the satellite terminal; and transmitting a message specifying the determined power level measurement to the terminal.

Specifically, the Office Action cites to the following passages from column 2:

The channels are demodulated into demodulated uplink frames, preferably by a demodulator located at the satellite. At least an estimate of the received energy of the burst signals or the time of arrival of the burst signals at the satellite is made, preferably by an uplink processor responsive to the uplink beam and located at the satellite. (col. 2:30-36).

Report cells comprising report information in response to the estimate of the received energy of the burst signal (col. 2:35-37).

The report cells are unpacked from the downlink frames, the power level is adjusted based on the report information in the report cells in response to the estimate of the received energy of the burst signal (col. 2:43-47).

With regard to the determination of the power of the transmitted bursts, Wright discloses only that the satellite makes an "estimate" of the received energy of the burst signals. Wright lacks any disclosure of performing a specific power measurement. By contrast, each of the independent claims of the present invention recites determining a power level measurement.

Next, with regard to the transmission of a message specifying the determined power and the associated power adjustment performed by the terminal, the cited column 2 passages of Wright disclose that the report cells comprise information "in response to" the estimate of the received energy. Wright lacks any disclosure of the transmission of an actual power measurement (in fact, as pointed out above, in Wright there is no power measurement to transmit). In contrast, each of the present independent claims recites the transmission of a message specifying the power level measurement to the terminal.

In response to the Applicants previous arguments, the Office Action cites the following passages from column 26:

Synchronization report cells are processed to extract the nibble inserted at satellite 100 for the user terminal to indicate needed corrections in timing and/or power level. When these indicators have been extracted from the report cell by ASIC 460, the user terminal reacts by: ... (b) adjusting the base gain of its transmitter's IF amplifier 417 by a small fraction to increase or decrease the level of all of its transmissions, including its synchronization bursts and all of its traffic bursts (if any traffic bursts are in progress): ...

The power nibble is decoded and transmitted on bus 437 to unit 416 in order to adjust the power level of IF amplifier 417 for all channels according to the information in the power nibble. If the energy of the synch bursts detected at satellite 100 decreases, the power level of IF amplifier 417 is increased by an increment. (col. 26:21-42).

Traffic report cells are processed by decoder 460 (FIG. 16) to extract the high/low bit(s) inserted at satellite 100 to indicate the error count seen at the satellite for an uplink channel and slot on its previous use by the user terminal. This error count indicator (i.e., high/low bit) is used by the earth terminal to recompute the transmitted power level to be used for the related channel and slot on subsequent transmissions. (col. 26:43-50).

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Specifically, the Office Action specifies that the "error count indicator high/low bit" disclosed in Wright reads on the "message specifying the determined power level" from the present claims. Reading the above passages, however, reveals that the report cells comprise a "power nibble", which merely indicates whether the power level should be increased or decreased. The terminal then incrementally increases or decreases the transmission power respectively, and does NOT adjust the transmission power by an amount based on the measured power. Moreover, the last passage above specifies that the high/low bit is an error count indicator that indicates the error count seen at the satellite, and thus does NOT specify the measured power. These additional cited passages, therefore, also lack any disclosure of the determination of a power level measurement of the transmission burst received from the satellite terminal, and the transmission of a message specifying the determined power level measurement to the terminal, as recited in the present claims.

Further, the claims (claims 2, 8, 14, 20 and 26) have been amended to recite that the terminal determines a power margin based on the power level measurement, and adjusts its transmission power based on the power margin. As presented above, Wright discloses that the report cell merely indicates whether the power level should be increased or decreased. The terminal then increases or decreases the transmission power "by an increment", and does NOT adjust the transmission power by an amount based on the measured power level. The terminal disclosed in Wright cannot adjust the transmission power based on the measured power, because (as pointed out above) the terminal does NOT receive an actual power level measurement. Wright, therefore, lacks the disclosure of determining a power margin based on the power level measurement and adjusting the transmission power based upon the power margin, as recited in the present claims.

Applicants, therefore, respectfully submit that all pending claims are in condition for allowance and notice to this effect is respectfully requested.

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No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If, however, the Examiner believes that there are any unresolved issues requiring adverse action in any of the claims now pending in the application, it is requested that the Examiner telephone Mr. Craig Plastrik, at 301-601-7252, so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully Submitted,



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